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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/340,764	06/28/1999	KAORU HAYASHI	450100-4942	4324

20999 7590 02/26/2003

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NEW YORK, NY 10151

EXAMINER

WISDAHL, ERIC D

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 02/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

124

Office Action Summary	Application No. 09/340,764	Applicant(s) HAYASHI, KAORU	
	Examiner Eric D Wisdahl	Art Unit 2615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____. |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>5</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 – 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hinoue et al. (U.S. Patent 6, 118, 485) in view of Someya et al. (U.S. Patent 5, 128, 705). Regarding Claim 1, Hinoue discloses the information processing apparatus comprising an image pickup means (Column 9 lines 22 – 33), a holding means (inherent that the lens is being held inside the lens barrel Figure 9 item 21b), a Moving means to move the holding means along an optical axis (Figure 9 item 21b and Column 10 lines 22 – 24) and the accommodation means accommodating the holding means and the moving means (Figure 9 item 23a). Hinoue does not specify the arrangement between the holding means and the moving means. Namely, Hinoue does not specify the holding means with a serrated circumferential portion nor does he specify the moving means fitting with the serrated circumferential portion. Someya discloses a holding means holding a lens and having a serrated circumferential portion (Figure 3 items 8 and 81) and a moving means fitting with said circumferential portion that moves the lens along the optical axis (Column 4 lines 54 – 59 and Figure 3 items 4, 32, 33 and 41). Such an arrangement would be useful in providing a compact means for manually focusing a camera. Therefore, it would have been obvious to one of ordinary skill in the art to include a holding means with a serrated

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circumferential portion and a moving means fitting with said serrated circumferential portion so as to provide a simple manual focusing system.

Regarding Claim 2, Hinoue discloses a system that turns 180 degrees from a direction the same as the direction of a display unit (Figures 7 and 8, first position is facing 180 degrees away from display, second position is facing 0 degrees or with the display).

Regarding Claim 3, Hinoue discloses the moving means is operable from above and below the accommodation means (Figures 7 and 8 as well as Figure 9).

Regarding Claim 4, Hinoue discloses an image pickup means comprising a CCD (Column 9 lines 22 – 33).

Regarding Claim 5, Hinoue discloses the image pickup apparatus located on top of the display of the information processing apparatus (Figure 9).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Chang et al. U.S. Patent 6, 417, 884 B1.

Umezawa et al. U.S. Patent 5, 491, 507.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric D Wisdahl whose telephone number is (703) 305-4915. The examiner can normally be reached on 9:00 - 6:00 Mon-Thur every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached on (703) 308-9644. The fax phone numbers for

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the organization where this application or proceeding is assigned are (703) 308-5399 for regular communications and (703) 308-5399 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the technology center 2600 customer service office which can be reached at telephone number (703) 306-0377.

edw
February 12, 2003

A handwritten signature in black ink, appearing to read 'Andrew Christensen', with a long horizontal flourish extending to the right.

**ANDREW CHRISTENSEN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600**